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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **OJIMA, Naoto, et al.**

Group Art Unit: 1791

Serial No.: 10/589,746

Examiner: **NGUYEN, Phu Hoang**

Filed: **April 30, 2007**

P.T.O. Confirmation No.: 9503

For: **NICOTINE-REDUCING AGENT AND NICOTINE REDUCTION METHOD**

RESPONSE TO THE RESTRICTION REQUIREMENT
DATED October 26, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: November 10, 2009

Sir:

This paper is submitted in response to the Official Action dated October 26, 2009.

In the Action, restriction is required between Group (I), Claims 1-10; Group (II), Claims 11-12 and Group (III), Claims 13-14.

Applicants hereby elect the subject matter of Group (II), Claims 11-12, drawn to a method for reducing the nicotine/tar content, for prosecution in this application. This election is made without traverse, it being understood that the applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

U.S. Appln. Serial No.: 10/589,746
Response to Restriction Requirement
Filed on November 10, 2009

In the event any additional fees are required in connection with this response, please charge
our Deposit Account No. 01-2340.

Respectfully submitted,

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DWH/evb

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